

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

| | | |
|--------------------------|---|---------------------|
| UNITED STATES OF AMERICA |) | |
| |) | NO. 3:22-CR-00340-1 |
| v. |) | |
| |) | Judge Crenshaw |
| MAHAN JANBAKHS |) | |
| a/k/a MARK JANBAKHS |) | |

**UNITED STATES' NOTICE REGARDING MOTION FOR JUDICIAL INQUIRY
INTO POSSIBLE CONFLICTS OF INTEREST**

The United States of America, through Henry C. Leventis, United States Attorney for the Middle District of Tennessee, Assistant United States Attorneys Kathryn W. Booth and Chris Suedekum, files this notice regarding its motion for judicial inquiry into possible conflicts. (D.E. 96.) Based upon the recent developments set forth below, the Government believes the conflicts issues are now moot and withdraws its request for the Court to conduct a judicial inquiry. The Government submits that the Court can deny its motion for judicial inquiry as moot.

The Government filed the motion for judicial inquiry into the possible conflicts of interest of Burr Counsel on April 19, 2024. (D.E. 96.) The defendant filed a response in opposition on April 29, 2024. (D.E. 106.) The Government filed a reply in support of the motion on May 1, 2024. (D.E. 108.)

On May 13, 2024, Burr Counsel filed a Notice of Change of Firm, notifying the Court that they had left their law firm, Burr Forman LLP, and started their own law firm, Litson PLLC. (D.E. 110.) Following the filing of that notice, the Government conferred with counsel, who agreed to provide declarations to confirm that neither Mr. Little nor Mr. Lawson have any privileged or confidential client information regarding Capital One. The signed declarations of counsel are

attached to this notice as **Attachment 1** (Little Declaration) and **Attachment 2** (Lawson Declaration).

In addition, the Government spoke to attorneys from Burr Forman LLP to confirm that Burr Forman (1) did not have any reason to believe confidential or privileged information regarding Capital One had been shared with Mr. Little or Mr. Lawson; and (2) did not have any other reasons to believe Mr. Little or Mr. Lawson still had a conflict of interest.

In light of the attached declarations and the Government's investigation, the Government believes the conflicts issues identified in its motion and reply brief are now moot. Mr. Little and Mr. Lawson appear to have severed all ties with Burr Forman LLP and have confirmed via their attached declarations that they do not possess any client information regarding Capital One.

Counsel for defendant Mahan Janbakhsh agrees that there is no longer any need for the Court to conduct a hearing or make an inquiry into the possible conflicts that were previously identified.

CONCLUSION

Accordingly, the Government respectfully requests that the Court deny as moot its motion for judicial inquiry (D.E. 96).

Respectfully submitted,

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United States Attorney for the
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s/ Chris Suedekum
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CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2024, I electronically served a copy of the filing with the Clerk of the Court by using the CM/ECF system, which will send a Notice of Electronic Filing to all counsel of record for the defendant.

s/ Chris Suedekum
Chris Suedekum
Assistant U.S. Attorney